

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JESSE L. FRANKLIN,

Petitioner,

v.

ROBIN KNAB, WARDEN,

Respondent.

CASE NO. 2:10-CV-00608
JUDGE FROST
MAGISTRATE JUDGE ABEL

OPINION AND ORDER

On March 24, 2011, the Magistrate Judge issued a *Report and Recommendation* recommending that Respondent's motion to dismiss (Doc. 6) be granted and Petitioner's motion to amend (Doc. 7) be denied. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Respondent's motion to dismiss (Doc. 6) is **GRANTED**. Petitioner's motion to amend (Doc. 7) is **DENIED**. Petitioner's request for a stay (Doc. 8) likewise is **DENIED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE